

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EDDIE HILL,

Plaintiff,

v.

No. CIV 06-159 JB/RHS

ALBUQUERQUE POLICE
DEPARTMENT, et al.,

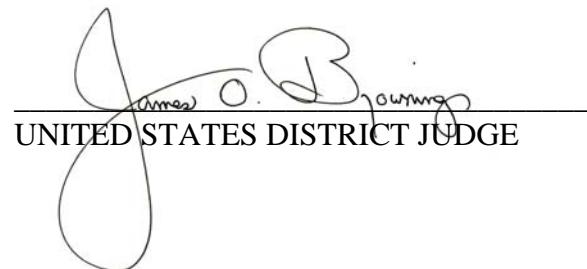
Defendants.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND DENYING DEFENDANTS' MOTION TO DISMISS AND MOTION TO STRIKE**

THIS MATTER comes before the Court on: (i) the Defendants' Motion to Dismiss Plaintiffs' Thirteenth Amendment Prohibition of Slavery Claims, filed July 2, 2007 (Doc. 46), ("Motion to Dismiss"); (ii) the Defendants' Motion to Strike Plaintiff's Response to Defendants' Reply to Plaintiff (sic) Petition to Dismiss the Defendant (sic) Motion to dismiss the Plaintiff (sic) Thirteenth Amendment Prohibition of Slavery Claims, filed September 6, 2007 (Doc. 57) ("Motion to Strike"); and (iii) the Magistrate Judge's Proposed Findings and Recommended Disposition Regarding Defendants' Motion to Dismiss and Defendant's Motion to Strike, filed March 31, 2008 (Doc. 67) ("PFRD"). The Defendants filed objections to the PFRD. See Defendants' Objections to PFRD filed March 31, 2008 (Doc. 68) ("Objections"). Having considered *de novo* those portions of the PFRD to which the Defendants object, the Court will adopt the Magistrate Judge's proposed findings and deny the Defendants' Motion to Dismiss and the Defendants' Motion to Strike.

IT IS ORDERED that the Magistrate Judge's proposed findings, with the exception of footnote 5 on page 6, are adopted by the Court; the Defendants' Motion to Dismiss Plaintiffs' Thirteenth Amendment Prohibition of Slavery Claims (Doc. 46) is denied; and that the Defendants'

Motion to Strike Plaintiff's Response to Defendants' Reply to Plaintiff (sic) Petition to Dismiss the Defendant (sic) Motion to dismiss the Plaintiff (sic) Thirteenth Amendment Prohibition of Slavery Claims (Doc. 57) is denied as moot.



UNITED STATES DISTRICT JUDGE